

REMARKS

In response to the non-final Official Action of May 24, 2010, claims 1-7, 10-15, 18-20, and 30 have been amended in a manner which is believed to particularly point out and distinctly claim the invention.

In particular, independent claims 1, 12, and 30 have been amended to recite that the cover is an exchangeable cover and that the contact sensitive component is in said exchangeable cover. Support for these amendments is found in the original application as filed, including paragraphs [0024] and [0011] respectively of the published US application. No new matter is added.

Claim Rejections - 35 USC §103

At section 4, claims 1-7, 10-15, 18-25, and 28-30 are rejected under 35 USC §103(a) as unpatentable in view of US patent 6,259,045, Imai, in view of US patent 7,187,363, Nguyen, et al (hereinafter Nguyen).

With respect to claim 1, it is asserted that Imai teaches a cover of an electronic device comprising the features recited in claim 1 except that it does not teach a processor provided in the cover. The Office asserts that Nguyen teaches a processor provided in a cover and that it would be obvious to one of ordinary skill in the art at the time of the invention to incorporate Nguyen's device having a processor and a cover with Imai's electronic system so as to provide protection for the processor. Applicant respectfully disagrees.

Claim 1 as amended specifically recites that the cover is an exchangeable cover and that the contact sensitive component is in said exchangeable cover arranged such that it generates an electrical signal when a part of the decoration associated to the contact sensitive component is touched.

As previously argued in applicant's earlier responses, Imai is directed to a keybutton-equipped device which has a board 40 with electrodes 41 at predetermined positions on which a predetermined number of sensitive elements at predetermined positions are provided; a case 20 in which the board is mounted and a predetermined

number of holes 21 formed at positions corresponding to the sensitive elements on the board, as well as a keypad 10 (Figures 1A and 1B) which is of a stretchy material (such as rubber and plastic) and is formed with a tubular body to cover and tighten the case. The overall arrangement of the device is shown in Figure 3 of Imai.

It is therefore clear that Imai only discloses the use of a board 40 having electrodes 41 (Imai, Figures 2-7 and column 2, lines 43-46). Imai does not disclose a cover comprising a processor provided in said cover, as well as the processor being configured to be provided with electrical signals generated by the contact sensitive component to at least realize a specific function. At best, board 40 of Imai corresponds to the connection component of the cover as set forth in amended claim 1. In this regard, the Office at page 3, line 4 of the Office Action states “Imai teaches a cover for an electronic device including light emitting [diode]”. However, the light emitting diodes discussed in Imai, such as at column 4, lines 51-54 are with regard to an LED which is adjacent to the electrode of the board and therefore is not in the cover.

It is clear that Imai only discloses the use of a board 40 (see Figure 2) having electrodes 41 (see Figures 2-7 and column 2, lines 43-46 of Imai). Imai does not disclose a cover comprising a processor provided in said cover, as well as said processor configured to be provided with electrical signals generated by contact sensitive components to at least realize a specific function.

As a result, it is respectfully submitted that the feature of the present invention setting forth that the cover comprising a processor provided in said cover, as well as the processor configured to be provided with electrical signals generated by the contact sensitive component so as to at least realize a specific function are not disclosed or suggested by Imai. At best, the teaching of Imai would show to a person of ordinary skill in the art that electrodes 41 and board 40 might be connected to a processor associated with an electronic device, but completely fails to suggest that the cover comprises a processor provided in said cover and wherein the processor is configured to receive the electrical signals generated by the contact sensitive component to at least realize a specific function.

Furthermore, Imai describes a keybutton-equipped device comprising a board with sensitive elements at predetermined positions. The device further comprises a case in which the board is mounted in a keypad having a predetermined number of key buttons (Imai, column 1, lines 46-56). On the operation side of the board, the predetermined number of electrodes are provided at the position corresponding to the holes in the case in the protrusions of the keypad (Imai, column 3, lines 9-12). An illuminant, such as an LED, may be placed adjacent to the electrode of the board (Imai, column 4, lines 51-54).

Claim 1 as amended specifically points out and claims that the recited features are comprised in a cover. In Imai, however, the relevant features referred to are elements located on the board, not in the cover. The element case in Imai is stated to map to the cover. However, in Imai, the case is not exchangeable as set forth in amended claim 1 herein. The board, on the other hand, is explicitly stated to be loose from the case and is thus clearly a separate element. Consequently, this board in Imai is not a part of the case and thus not in the cover as defined in amended claim 1. Therefore, the features referred to are not disclosed as being in the cover.

Furthermore, the Office states that in Imai, a decoration is the case as shown in Figure 2, element 20. However, the present invention requires that the cover be exchangeable, a feature that is not shown in Imai and thus it is unclear what would constitute a decoration with respect to such an exchangeable cover. In Imai there is just a case defined, that is a fixed part of the case of the device that has no interactive decoration being described and certainly is not associated with an exchangeable cover. Further, Imai does not describe a contact sensitive component included in the cover. Electrodes 1541 of Imai are located on the board, not in the cover.

Furthermore, the Office asserts that hole 21 in Imai corresponds to “part of said decoration associated to said contact sensitive component”. This is somewhat unusual in that it is very difficult to understand how touching a hole would generate an electrical signal as required by claim 1.

The Office goes on to state that Nguyen teaches a processor provided in a cover. This does not appear to be what is disclosed in Nguyen. Nguyen discloses a hand-held

device having three mechanical components; namely, a processor module and two sliding covers. The processor module is the core mechanical module comprising the processor, display and input/output functionality. The sliding covers provide protection for the processor module and may include input/output transducers, such as keypad, speaker, or microphone. The sliders 101, 102 of Nguyen clearly do not contain a processor and are not exchangeable.

It is therefore respectfully submitted that since neither Imai nor Nguyen disclose an exchangeable cover for a device, it would not be obvious to one of ordinary skill in the art to combine these references in the manner as set forth in amended claim 1. Even if the references are combined, the result would not correspond to amended claim 1 since the combination still lacks the features of the cover being exchangeable, the exchangeable cover comprising a processor in the cover, and the processor configured to be provided with an electrical signal generated by a contact sensitive component to at least realize a specific function.

For all of the foregoing reasons, it is therefore respectfully submitted that claim 1 as amended is distinguished over Imai in view of Nguyen.

Independent claims 12 and 30 have been amended in a manner corresponding to claim 1 and, for similar reasons, are also distinguished over Imai in view of Nguyen.

Since each of the independent claims are believed to be allowable, it is respectfully submitted that dependent claims 2-7, 10, 11, 13-15, 18-25, 28, and 29 are also allowable at least in view of their dependency from one of these independent claims.

In view of the foregoing, it is respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

The undersigned respectfully submits that no fee is due for filing this Amendment.
The Commissioner is hereby authorized to charge to deposit account 23-0442 any fee deficiency required to submit this paper.

Respectfully submitted,

Dated: August 24, 2010
WARE, FRESSOLA, VAN DER
SLUYS & ADOLPHSON LLP
Building Five, Bradford Green
755 Main Street, P.O. Box 224
Monroe, CT 06468
Telephone: (203) 261-1234
Facsimile: (203) 261-5676
USPTO Customer No. 004955

/Alfred A. Fressola/
Alfred A. Fressola
Attorney for Applicants
Registration No. 27,550